

Association for B. William,

O R,

An Entire Loyalty to His Present *MAJESTY*,
By Satisfaction given to the *Jacobites*, in Regard to their most Con-
scientious Scruple, and Scandal taken, Promoted.

WHereas there have been some that fear God, of all Ranks, the higher and meaner Rank, and Conditions, Clergy and Laity, that could not submit to the Present Government, so as to take the Oath of Fidelity to the King, nay nor so much as come to the Liturgy (whereof otherwise they were so fond) because of the Prayers that are there said for him. And whereas there are now many more, that tho' they have sworn Allegiance to *William* as King *de Facto*, they cannot yet come to an Acknowledgment of him as King *de Jure*, so as to Associate in a Cordial Defence of him with others, All which doubts depend upon the sole Question about King *James's* Conscientious Exclusion; wherein it is not merely out of Interest, (as most selfish Men will think) Humour, or Inclination, that they are gravell'd, but out of Conscience grounded on the *Thirteenth to the Romans*. And forasmuch as I wrote a Book in the year, 1680. printed for R. Chiswell, Entituled, *A Peaceable Resolution of Conscience, touching our present Impositions*, wherein I have spoken for Loyalty against Resistance, not only as much, (for it is a Political Book) but more in one Vertical Point than others, and too much upon further Knowledge than is fit for our English Government: I do think meet, for the rectifying my self, and an humble Tender for others satisfaction, (especially such devout Loyalists as have forsaken what they had, rather than the Confession they once made in so solemn a Declaration and Subscription; which was then enjoyned all Conformists, That it is not Lawful to take Arms against the King upon any Pretence whatsoever) to bear this Testimony to that Text of the Apostle, and leave it on Record before I dye, being now 73 years Old, for the sake of Posterity. The Words are these, *Let every soul be subject unto the Higher Powers: for there is no Power but of God. The Powers that be are Ordained of God: Whosoever therefore resisteth the Power, resisteth the Ordinance of God, and they that resist shall receive to themselves Damnation.*

There are two Distinctions here necessary to be known: To offer more, were to Confound, not Edify. One is, between *Subjection* and *Obedience*. It is Dr. *Fields* Distinction in the Words, and in the Meaning none of those that are for the Doctrine of *Non-resistance* and *Passive Obedience*, but will so far agree with us. We are not always to Obey the Higher Powers (themselves must acknowledge) but we are (they say) always to be in *Subjection*, and never Resist, rise up and deliver our selves from them. If God forbids what the Magistrate commands, or if God commands what he forbids, God must be obey'd rather than Man. This by their Word [*Passive*] they assent unto; but, as to the Point of *Subjection*, it is in that, the Question and Difference lyes between us. The other Distinction then is, what They have not yet known, nor was it ever yet used before by any that I know, unless perhaps my self. The Sense almost all have, but not the *Elucidation*. Distinguish we then between these two things, which certainly are different things, the Powers that are, and the Powers that are not. This is a plain Distinction, every one can understand it, and it is undeniable. The Powers, the Higher Powers in the Text are *the Powers that be*, the Powers that are of God, the Ordinance of God, and they that resist shall receive to themselves Damnation. Let this be granted to these devout Men; but then must they grant to me again what cannot be denied by any, that as for the Powers that are not, the Powers (I say) that are not the Powers that be, they are not the Powers in the Text, not the Powers that are of God, not the Ordinance of God, and they that resist them, (and not the Powers that be) shall not receive to themselves Damnation. This is plain and undenyable as before.

Now there is one Question to be ask'd, which alone will resolve the whole Case at stake between us, and that is this: What is the true Meaning of the *Apostle's* *the Powers that be*? What is really and in good earnest (so as the Conscience may rest upon it) *that*, which is meant by *the Powers that be*? I Answer, *The Powers that be*, are certainly the Powers according to the present known Constitution. There are Higher Powers (or Kings) whose Government is Absolute, and so Absolute, as that Subjects have no Liberty of Person, or Propriety in Goods by the Constitution: But it is not so with other Higher Powers (or Kings) whose Government is according to a supposed Original Contract (appearing in the Laws) which gives the People such *Liberty* and *Rights*, as the King (such a *Prerogative*, extending so far, and no farther than that Contract allows. There is here therefore two things to be considered, the

* *Augustus* brought in a New Constitution into the Roman Government the People contenting: And *Nero* was Obeyed, and not to be Resisted, as supposed, Ruling thereby

*Power, and Form of Government; the Power and the Form in such Governments. The Form or Constitution, which tells what sort of Government it shall be, what Persons shall Govern, and how far they may go, as of Men, of Men altogether, unless in the Jews Commonwealth; and then the Power does flow from G O D to Rule so, and no otherwise, but according to that Constitution. *Potestas est a Deo*, but *Forma ab Homine*, says Bishop Burnet. If then the Higher Powers for the Administration rule not by that Form, or according to that Constitution, (not designedly and resolvedly, and not by a slip and inadvertency, depart from it), the Power *a Deo*, the *Potestas*, falls from them; and they do *Cedere de Jure*, fall from their Right to our Subjection. I have thought on this long, I was at Oxford when I composed this Book for a friend, and had the Use of the Library, and I printed on this the Texts Fundamental Proposition, That the Powers that be, are the Government in every Country according to its own Constitution. And consequently, that the *Sacrosancta* (or*

A Disposing Power infinitely maintained a Power over the Laws. A Power over the Laws, however the Government, a Change of Government, or a Change of Power, from one King to another.

When Non-Resistance, which is required of God as due to the Higher Powers, is a Subjection (or Non-Resistance, no other but according to the same. Look you Sirs, the Scriptura does not go to prescribe, alter, or meddle with the Governments of the Nations, but it supposes a Government in every Kingdom or Country, and commands Subjection to the Government. *Non est* We overturn all if we preach otherwise than this, *Evangelium in abstracto* *Reverentia*

not be resisted, and some Lawyers, for I to him, that the German Empire was not Absolute, but that the Emperor permitted Resistance, so that they might make a League to defend themselves; Upon this Reason, said he, the Gospel abolishes the Laws of any Commonwealth. Sleidan. lib. 3.

Now then let us come to the Government of our Nation, and this Government we do know, and none more like than these Men to find by it, is it *regia* *regum*, as Sir Thomas Smith the Secretary of State in two Reigns hath told us in his Authentick Book, *De Rep. Ang. lib. 1. c. 1.* That is, *A Government regulated by Laws, a Government which is king by the Statutes of the Realm, and not at the Will of the Lord. Non est Rex lib. 1. c. 1.* *regum*, *regum*, says Bracton; and so say all our Great Lawyers. Well! Such being the Constitution of our Government, be it known and Acknowledged, That if any King of England therefore shall rule so, or really go about it, so that if he be not hindered, he will effect it, as to change the Government of *Manus of the Kingdom*, as the Scripture expresses it, from *Legal* to *arbitrary*, from *Regal* to *Despotic*, and it shall please God to give the People, who are Free Subjects, the happy Means of a Deliverance, they do not resist in this Case, or rise up against the Power that be, the Powers in the Text, the Powers that are of G O D, the Ordinance of G O D. But the Powers in the Text, the Powers that are not of God, the Powers that are not the Ordinance of God, and it being indeed only a Rising for the Government, and not against the Government, and no resisting the Powers that be, they shall not receive to themselves Damnation. This is the Case of the Revolution.

And, no, in defect of *Alere*, they fall by *Evangelium*. So does it rightly follow, seeing *Don* *in* *in*, when there is none to inherit it, (or when it is forfeited) returns to the Body, that is, *fundamentally* and *radically* reside in the Body, and that the *liber* *elect* *bold* *in* *dependency* *on* *them*. Our Government therefore thus *discharging*, or become forfeit to the People, and they by their Representatives in a *Convention* having settled it on *William*, here is the most certain, true, indubitable Time that any Prince is capable of; and better than any other hath to his Government, nor ought I know, in the whole Earth.

There are Two Reasons now (besides the Conscience to my self in regard to the Book forecited) for the Publication; which being apparent, I own. The One, That all Honest Scrupulous Men who have been hitherto *Non-Jurors* upon the Point of Conscience, as to them, may be so satisfied to take the Oath of Fidelity to King *William* (with us that have, as to bless God for him, and to enter the Association as they see it good for them. The Other, That the King himself, and those that succeed him in the Throne, may not be tempted by the Love of their People, or Liberality of Parliaments, to make such Use of their Raised Strength, as our Neighbour Kings have done, to go out of the Circle of our English Constitution. Especially knowing, that the Spirit of the Nation, and the Conscience of it also is hereby so resolved, that under King *James* we would not be *Passive*. Under those that succeed, We will not be *Slaves*.

Habetis Sententiam meam, et Easferendi potestatem in Causa hac gravissima.

John Humfrey.